

PROVISO
SUBCOMMITTEE
RECOMMENDATIONS

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TRANSPORTATION

AND

REGULATORY

**PROVISO SUBCOMMITTEE
TRANSPORTATION AND REGULATORY
RECOMMENDATIONS FOR FY 2012-13
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 54 - L36-HUMAN AFFAIRS COMMISSION

54.1 DELETE (Sale of Publication) Authorizes the commission to retain, carry forward and expend “The Blueprint” revenue.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The Blueprint is no longer produced for sale.* Fiscal Impact: No impact on the General Fund. Requested by Human Affairs Commission.

54.1. (HAC: Sale of Publication) ~~All revenue derived from the sale of “The Blueprint” shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.~~

SECTION 55 - L46-COMMISSION FOR MINORITY AFFAIRS

55.cf ADD (Retention of Photocopy Fees) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the commission to retain and carry forward revenue from photocopy fees and other fees related to FOI requests from the general public. *Requests for copies of Native American petitions, minutes, conferences, etc are routinely received and the commission anticipates the requests to become more frequent, resulting in increased printing costs to the agency.* Fiscal Impact: Revenue received from these fees is currently deposited into the General Fund. State Budget Division indicates the agency derives less than \$100 a year from these fees. Requested by Commission on Minority Affairs.

55.cf. (CMA: Retention of Photocopy Fees) Revenue derived from photocopy fees and other fees related to Freedom of Information Act requests from the general public may be retained and carried forward by the Commission.

SECTION 64 - R28-DEPARTMENT OF CONSUMER AFFAIRS

64.5 AMEND (Retention of Fees) Authorizes the department, for FY 11-12, to retain all fees collected pursuant to specific sections of the code pertaining to the Motor Club Services Act; Pawnbrokers, and the Physical Fitness Act and to use these funds to implement mandated program requirements.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2011-12” to “2012-13.” *Technical.* Fiscal Impact: No impact on the General Fund. The agency anticipates that approximately \$135,000 in revenue will be generated for the agency. Requested by Department of Consumer Affairs.

64.5. (CA: Retention of Fees) For Fiscal Year ~~2011-12~~ 2012-13, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

SECTION 65 - R36-DEPARTMENT OF LABOR, LICENSING AND REGULATION

65.8 AMEND (Immigration Bill Funding) Requires the department to use \$1,414,814 of Subfund 3135 carry forward funds for the department’s Illegal Immigration responsibilities. Directs the department to compile an accountability report outlining Immigration Bill expenditures and to

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submit the report to specific Senate and House members, committees, and subcommittees on the first Tuesday of February 2011.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "\$1,414,814" to "\$250,000." Fiscal Impact: No impact on the General Fund. Reducing the amount required for Illegal Immigration responsibilities makes revenue of \$1,164,814 available for other agency operations. Requested by Department of Labor, Licensing, and Regulation.

65.8. (LLR: Immigration Bill Funding) Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any other purpose, ~~\$1,414,814~~ \$250,000 must be retained by the Department of Labor, Licensing, and Regulation to fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. The department shall compile an accountability report outlining expenditures of the Immigration Bill funding to be issued to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee. Said report must be issued on the first Tuesday of February 2012.

65.fmc **ADD** (Office of State Fire Marshal - Clothing) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize LLR to purchase and issue clothing to State Fire Marshal staff. *Allows agency to provide uniforms to Deputy State Fire Marshal and other staff for identification in the field and to enhance professionalism at Fire Service events.* Fiscal Impact: No impact on the General Fund. The agency indicated they would expend approximately \$30,000 of other funds for this purpose. Requested by Department of Labor, Licensing, and Regulation.

65.fmc. (LLR: Office of State Fire Marshal - Clothing) The Department of Labor, Licensing, and Regulation is authorized to purchase and issue clothing to the staff of the Office of the State Fire Marshal.

SECTION 66 - R40-DEPARTMENT OF MOTOR VEHICLES

66.7 **AMEND** (Underutilized Offices) Authorizes the department to reduce operating hours in DMV field office that are underutilized.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to also allow the department to close or relocate underutilized field offices. Fiscal Impact: No impact on the General Fund. State Budget Division indicates that initial estimates reveal potential cost avoidance through reduction of operating hours or termination of leases, utilities and cleaning services when executed over a 5 to 10 year period. Requested by Department of Motor Vehicles.

66.7. (DMV: Underutilized Offices) The Director of the Department of Motor Vehicles is authorized to develop and implement a plan to close, relocate, or reduce the hours of operation in underutilized DMV field offices.

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SECTION 67 - R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

67.3 DELETE (SCOIS Federal Funds) Requires the department, if they receive federal funds for the South Carolina Occupational Information System, to return to the General Fund a corresponding amount of general funds, up to \$306,833, and to notify the Chairmen of the Senate Finance and House Ways and Means Committees that they have taken that action.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Federal funds have not been received for this program since the inception of the proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Employment and Workforce.

~~**67.3.** (DEW: SCOIS Federal Funds) Should the department receive funds from the federal government for the South Carolina Occupational Information System (SCOIS) program, the department shall return an equivalent amount of general funds, up to \$306,833, to the General Fund of the State. The department shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of such action.~~

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

68A.6 DELETE (Payroll Deduction for Uniform Rental) Authorizes the department to payroll deduct, if requested by the employee, the rental cost of work related uniforms.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The department no longer requires employees to pay for uniforms.* Fiscal Impact: No impact on the General Fund. Requested by Department of Transportation.

~~**68A.6.** (DOT: Payroll Deduction for Uniform Rental) The Department of Transportation, upon the written request of an employee, shall make deduction from the employee's compensation for payments for work related uniform rental.~~

SECTION 89 - X90-GENERAL PROVISIONS

89.83 AMEND (Printed Report Requirements) Directs that for Fiscal Year 2011-12 certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.

~~**89.83.** (GP: Printed Report Requirements) (A) For Fiscal Year 2011-12, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.~~

Submission of the plans or reports required by Sections 2-47-55, 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report under 2-47-55 year one of the Comprehensive Permanent Improvement Plan, student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

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(B) For Fiscal Year ~~2011-12~~ 2012-13, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2011-12~~ 2012-13, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to Proviso 21.11, and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2011-12~~ 2012-13, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

89.117 AMEND (WIA Meeting Requirements) Establishes Workforce Investment Board meeting notice and quorum requirements.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2011-12” to “2012-13.” *Technical.*

89.117. (GP: WIA Meeting Requirements) For Fiscal Year ~~2011-12~~ 2012-13, a Workforce Investment Board meeting must be subject to all notice requirements of the Freedom of Information Act and may not take place unless a quorum of the board membership is present. Any decision made in violation of these requirements is void.

89.118 AMEND (WIA Service Advertising) Establishes Workforce Investment Act advertising guidelines.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2011-12” to “2012-13.” *Technical.*

89.118. (GP: WIA Service Advertising) For Fiscal Year ~~2011-12~~ 2012-13, the Workforce Investment Act may advertise its services via billboard, bus placard, newspapers, or radio in all workforce investment areas rather than in selected workforce investment areas. This advertising may not be limited to e-mail, online, or other internet-based advertising, publicity, or other promotions.

89.119 AMEND (WIA Training Marketability Evaluation) Requires local workforce investment boards to report on how funds were allocated based for training.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2011-12” to “2012-13.” *Technical.*

89.119. (GP: WIA Training Marketability Evaluation) For Fiscal Year ~~2011-12~~ 2012-13, local workforce investment boards shall demonstrate that funds expended for training are used to provide marketable work skills by reporting how its funds were allocated based on skills for which training was funded to determine what percentage of funds are used to fund non-vocational, academic programs and high-growth or high-demand industries and occupations.